Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax

TITLE I

	SUBJECT MATTER AND SCOPE
Article 1	(1) This Directive establishes the common system of value added
Article 2 Article 3 Article 4	(1) The following transactions shall be subject to VAT: (1) By way of derogation from Article 2(1)(b)(i), the following In addition to the transactions referred to in Article 3,
	TITLE II
	TERRITORIAL SCOPE
Article 5	For the purposes of applying this Directive, the following definitions
Article 6 Article 7 Article 8	(1) This Directive shall not apply to the following territories (1) In view of the conventions and treaties concluded with If the Commission considers that the provisions laid down in
	TITLE III
	TAXABLE PERSONS
Article 9	(1) 'Taxable person' shall mean any person who, independently, carries
Article 10 Article 11	The condition in Article 9(1) that the economic activity be After consulting the advisory committee on value added tax
Article 12 Article 13	(hereafter,(1) Member States may regard as a taxable person anyone(1) States, regional and local government authorities and other bodies
	TITLE IV
	TAXABLE TRANSACTIONS
	CHAPTER 1
	supply of goods
Article 14 Article 15	 (1) 'Supply of goods' shall mean the transfer of the (1) Electricity, gas, heat or cooling energy and the like The application by a tayable person of goods forming part

The application by a taxable person of goods forming part...

Article 16

Article 17 Article 18 Article 19	(1) The transfer by a taxable person of goods forming Member States may treat each of the following transactions as In the event of a transfer, whether for consideration or
	CHAPTER 2
	Intra-Community acquisition of goods
Article 20	'Intra-Community acquisition of goods' shall mean the
Article 21 Article 22 Article 23	acquisition of the The application by a taxable person, for the purposes of The application by the armed forces of a State party Member States shall take the measures necessary to ensure that
	CHAPTER 3
	Supply of services
Article 24 Article 25 Article 26 Article 27	 (1) 'Supply of services' shall mean any transaction which does A supply of services may consist, inter alia, in one (1) Each of the following transactions shall be treated as In order to prevent distortion of competition and after consulting
Article 28 Article 29	Where a taxable person acting in his own name but Article 19 shall apply in like manner to the supply
	CHAPTER 4
	Importation of goods
Article 30	'Importation of goods' shall mean the entry into the Community.
	TITLE V
	PLACE OF TAXABLE TRANSACTIONS
	CHAPTER 1
	Place of supply of goods
	Section 1
	Supply of goods without transport
Article 31	Where goods are not dispatched or transported, the place of
	Section 2
	Supply of goods with transport
Article 32 Article 33	Where goods are dispatched or transported by the supplier, or (1) By way of derogation from Article 32, the place

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Article 34 Article 35 Article 36	
	Section 3
	Supply of goods on board ships, aircraft or trains
Article 37	(1) Where goods are supplied on board ships, aircraft or
	Section 4
	Supplies of gas through a natural gas system, of electricity and of heat or cooling energy through heating and cooling networks
Article 38 Article 39	(1) In the case of the supply of gas through In the case of the supply of gas through a
	CHAPTER 2
	Place of an intra-Community acquisition of goods
Article 40 Article 41	The place of an intra-Community acquisition of goods shall be Without prejudice to Article 40, the place of an intra-Community
Article 42	The first paragraph of Article 41 shall not apply and
	CHAPTER 3
	Place of supply of services
	Section 1
	Definitions
Article 43	For the purpose of applying the rules concerning the place
	Section 2
	General rules
Article 44 Article 45	The place of supply of services to a taxable person The place of supply of services to a non-taxable person
	Section 3
	Particular provisions

Article 46 The place of supply of services rendered to a non-taxable...

Subsection 1

Supply of services by intermediaries

Subsection 2

Supply of services connected with immovable property

Article 47 The place of supply of services connected with immovable property,...

Subsection 3

Supply of transport

Article 48	The place of supply of passenger transport shall be the
Article 49	The place of supply of the transport of goods, other
Article 50	The place of supply of the intra-Community transport of goods
Article 51	'Intra-Community transport of goods' shall mean any
	transport
Article 52	Member States need not apply VAT to that part of

Subsection 4

Supply of cultural, artistic, sporting, scientific, educational, entertainment and similar services, ancillary transport services and valuations of and work on movable property

- Article 53 The place of supply of services and ancillary services relating...
- Article 54 The place of supply of the following services to non-taxable...

Subsection 5

Supply of restaurant and catering services

Article 55 The place of supply of restaurant and catering services other...

Subsection 6

Hiring of means of transport

Article 56 (1) The place of short-term hiring of a means of...

Subsection 7

Supply of restaurant and catering services for consumption on board ships, aircraft or trains

Article 57 (1) The place of supply of restaurant and catering services...

Subsection 8

Supply of electronic services to non-taxable persons

Article 58 The place of supply of electronically supplied services, in particular...

Subsection 9

Supply of services to non-taxable persons outside the Community

Article 59 The place of supply of the following services to a...

Subsection 10

Prevention of double taxation or non-taxation

Article 59a	In order to prevent double taxation, non-taxation or distortion
4 .: 1 .501	of
Article 59b	Member States shall apply Article 59a(b) to telecommunications services and
	SELVICES allu

CHAPTER 4

Place of importation of goods

Article 60	The place of importation of goods shall be the Member
Article 61	By way of derogation from Article 60, where, on entry

TITLE VI

CHARGEABLE EVENT AND CHARGEABILITY OF VAT

CHAPTER 1

General provisions

Article 62	For the purposes of this Directive: 'chargeable event' shal	1
	mean	

CHAPTER 2

Supply of goods or services

Article 63	The chargeable event shall occur and VAT shall become
	chargeable
Article 64	(1) Where it gives rise to successive statements of account
Article 65	Where a payment is to be made on account before
Article 66	By way of derogation from Articles 63, 64 and 65,
Article 67	Where, in accordance with the conditions laid down in Article

CHAPTER 3

Intra-Community acquisition of goods

Article 68	The chargeable event shall occur when the intra-Community
	acquisition of
Article 69	In the case of the intra-Community acquisition of goods, VAT

CHAPTER 4

Importation of goods

Article 70	The chargeable event shall occur and VAT shall become
	chargeable
Article 71	(1) Where, on entry into the Community, goods are placed

TITLE VII TAXABLE AMOUNT

CHAPTER 4

IMPORTATION OF GOODS

Article 72 For the purposes of this Directive, 'open market value' shall...

CHAPTER 2

	Supply of goods or services
Article 73	In respect of the supply of goods or services, other
Article 74	Where a taxable person applies or disposes of goods forming
Article 75	In respect of the supply of services, as referred to
Article 76	In respect of the supply of goods consisting in transfer
Article 77	In respect of the supply by a taxable person of
Article 78	The taxable amount shall include the following factors: taxes,
	duties,
Article 79	The taxable amount shall not include the following factors:
	price
Article 80	(1) In order to prevent tax evasion or avoidance, Member
Article 81	Member States which, at 1 January 1993, were not availing
Article 82	Member States may provide that, in respect of the supply
	CHAPTER 3
	Intra-Community acquisition of goods
Article 83	In respect of the intra-Community acquisition of goods, the taxable
Article 84	(1) Member States shall take the measures necessary to ensure.
	CHAPTER 4
	Importation of goods

Article 85	In respect of the importation of goods, the taxable amount
Article 86	(1) The taxable amount shall include the following factors, in
Article 87	The taxable amount shall not include the following factors:
	price

Article 102

may...

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Article 88	Where goods temporarily exported from the Community are reimported after
Article 89	Member States which, at 1 January 1993, were not availing
	CHAPTER 5
	Miscellaneous provisions
Article 90 Article 91 Article 92	(1) In the case of cancellation, refusal or total or(1) Where the factors used to determine the taxable amountAs regards the costs of returnable packing material, Member States
	TITLE VIII
	RATES
	CHAPTER 1
	Application of rates
Article 93 Article 94	The rate applicable to taxable transactions shall be that in (1) The rate applicable to the intra-Community acquisition of
Article 95	goods Where rates are changed, Member States may, in the cases
	CHAPTER 2
	Structure and level of rates
	Section 1
	Standard rate
Article 96 Article 97	Member States shall apply a standard rate of VAT, which (1) From 1 January 2006 until 31 December 2010, the
	Section 2
	Reduced rates
Article 98 Article 99 Article 100 Article 101	(1) Member States may apply either one or two reduced(1) The reduced rates shall be fixed as a percentageOn the basis of a report from the Commission, theBy 30 June 2007 at the latest the Commission shall
	Section 3
	Particular provisions

After consultation of the VAT Committee, each Member State

Article Article		(1) Member States may provide that the reduced rate, or Austria may, in the communes of Jungholz and Mittelberg (Kleines
Article 1 Article		Cyprus may apply one of the two reduced rates provided (1) Portugal may apply one of the two reduced rates
		CHAPTER 3
	Te	emporary provisions for particular labour-intensive services
Article		
Article		
Article	108	
		CHAPTER 4
	Special	provisions applying until the adoption of definitive arrangements
Article	109	Pending introduction of the definitive arrangements referred to in Article
Article	110	Member States which, at 1 January 1991, were granting exemptions
Article	111	Subject to the conditions laid down in the second paragraph
Article		If the provisions of Article 110 cause for Ireland distortion
Article	113	Member States which, at 1 January 1991, in accordance with
Article	114	(1) Member States which, on 1 January 1993, were obliged
Article	115	Member States which, at 1 January 1991, were applying
Article		
Article		(1)
Article		Member States which, at 1 January 1991, were applying a
Article		For the purposes of applying Article 118, Austria may apply
Article		Greece may apply rates up to 30 % lower than
Article		Member States which, at 1 January 1993, regarded work under
Article	122	Member States may apply a reduced rate to the supply
		CHAPTER 5
		Temporary provisions
Article		The Czech Republic may, until 31 December 2010, continue
Article		(1) G
Article		(1) Cyprus may, until 31 December 2010, continue to grant
Article		Molto many small 21 December 2010
Article		Malta may, until 31 December 2010, continue to grant an
Article Article		(1) Poland may, until 31 December 2010, grant an (1)
Article		
Ailicie	130	

TITLE IX EXEMPTIONS

CHAPTER 1

General provisions

Article 131 The exemptions provided for in Chapters 2 to 9 shall...

CHAPTER 2

Exemptions for certain activities in the public interest

Article 132	(1) Member States shall exempt the following transactions:
Article 133	Member States may make the granting to bodies other than
Article 134	The supply of goods or services shall not be granted

CHAPTER 3

Exemptions for other activities

Article 135	(1) Member States shall exempt the following transactions:
Article 136	Member States shall exempt the following transactions: the
	supply of
Article 137	(1) Member States may allow taxable persons a right of

CHAPTER 4

Exemptions for intra-community transactions

Section 1

Exemptions related to the supply of goods

Article 138	(1) Member States shall exempt the supply of goods dispatched
Article 139	(1) The exemption provided for in Article 138(1) shall not

Section 2

Exemptions for intra-Community acquisitions of goods

Article 140	Member States shall exempt the following transactions: the intra-
	Community acquisition
Article 141	Each Member State shall take specific measures to ensure that

Section 3

Exemptions for certain transport services

Article 142 Member States shall exempt the supply of intra-Community transport of...

Article 146

Article 147

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CHAPTER 5

Exemptions on importation

Article 143 Article 144 Article 145	 Member States shall exempt the following transactions: Member States shall exempt the supply of services relating to The Commission shall, where appropriate, as soon as possible,
	CHAPTER 6
	Exemptions on exportation

CHAPTER 7

(1) Where the supply of goods referred to in point...

(1) Member States shall exempt the following transactions:

EXEMPTIONS RELATED TO INTERNATIONAL TRANSPORT

Article 148	Member States shall exempt the following transactions: the supply of
Article 149 Article 150	Portugal may treat sea and air transport between the islands (1) The Commission shall, where appropriate, as soon as possible,

CHAPTER 8

Exemptions relating to certain Transactions treated as exports

Article 151	(1) Member States shall exempt the following transactions:
Article 152	Member States shall exempt the supply of gold to central

CHAPTER 9

Exemptions for the supply of services by intermediaries

Article 153 Member States shall exempt the supply of services by intermediaries,...

CHAPTER 10

Exemptions for transactions relating to international trade

Section 1

Customs warehouses, warehouses other than customs warehouses and similar arrangements

Article 154	For the purposes of this Section, 'warehouses other than
	customs
Article 155	Without prejudice to other Community tax provisions, Member
	States may,
Article 156	(1) Member States may exempt the following transactions:

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Article 175

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Article 157 Article 158 Article 159 Article 160 Article 161	 Member States may exempt the following transactions: By way of derogation from Article 157(2), Member States Member States may exempt the supply of services relating to Member States may exempt the following transactions: Member States may exempt supply of the following goods and
Article 162 Article 163	Where Member States exercise the option provided for in this If the goods cease to be covered by the arrangements
	Section 2
	Transactions exempted with a view to export and in the framework of trade between the Member States
Article 164	(1) Member States may, after consulting the VAT Committee,
Article 165	exempt Member States may set a common maximum amount for transactions
	Section 3
	Provisions common to Sections 1 and 2
Article 166	The Commission shall, where appropriate, as soon as possible, present
	TITLE X
	DEDUCTIONS
	CHAPTER 1
	Origin and scope of right of deduction
Article 167a Article 168a Article 168a Article 169 Article 170 Article 171 Article 171a Article 172	A right of deduction shall arise at the time the Member States may provide within an optional scheme that the In so far as the goods and services are used (1) In the case of immovable property forming part of In addition to the deduction referred to in Article 168, All taxable persons who, within the meaning of Article 1 (1) VAT shall be refunded to taxable persons who are Member States may, instead of granting a refund of VAT (1) Any person who is regarded as a taxable person
	CHAPTER 2
	Proportional deduction
Article 173 Article 174	 (1) In the case of goods or services used by (1) The deductible proportion shall be made up of a (1) The deductible proportion shall be determined on an annual.

(1) The deductible proportion shall be determined on an annual...

CHAPTER 3

Restrictions on the right of deduction

Article 176	The Council, acting unanimously on a proposal from the
	Commission,
Article 177	After consulting the VAT Committee, each Member State may
	for

CHAPTER 4

Rules governing exercise of the right of deduction

Article 178	In order to exercise the right of deduction, a taxable
Article 179	The taxable person shall make the deduction by subtracting
	from
Article 180	Member States may authorise a taxable person to make a
Article 181	Member States may authorise a taxable person who does not
Article 182	Member States shall determine the conditions and detailed rules
	for
Article 183	Where, for a given tax period, the amount of deductions

CHAPTER 5

Adjustment of deductions

The initial deduction shall be adjusted where it is higher
(1) Adjustment shall, in particular, be made where, after the
Member States shall lay down the detailed rules for applying
(1) In the case of capital goods, adjustment shall be
(1) If supplied during the adjustment period, capital goods shall
For the purposes of applying Articles 187 and 188, Member
For the purposes of Articles 187, 188, 189 and 191,
If, in any Member State, the practical effect of applying
Where a taxable person transfers from being taxed in the

TITLE XI

OBLIGATIONS OF TAXABLE PERSONS AND CERTAIN NON-TAXABLE PERSONS

CHAPTER 1

Obligation to pay

Section 1

Persons liable for payment of VAT to the tax authorities

For the purposes of this Section, a taxable person who
VAT shall be payable by any taxable person carrying out
(1) Where the taxable supply of goods or services is
VAT shall be payable by any person who is identified

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Article 196 Article 197 Article 198 Article 199 Article 199a Article 200 Article 201 Article 202 Article 203 Article 204	VAT shall be payable by any taxable person, or non-taxable (1) VAT shall be payable by the person to whom (1) Where specific transactions relating to investment gold between a (1) Member States may provide that the person liable for (1) Member States may, until 30 June 2015 and for VAT shall be payable by any person making a taxable On importation, VAT shall be payable by any person or VAT shall be payable by any person who causes goods VAT shall be payable by any person who enters the (1) Where, pursuant to Articles 193 to 197 and Articles
Article 205	In the situations referred to in Articles 193 to 200
	Section 2
	Payment arrangements
Article 206 Article 207 Article 208	Any taxable person liable for payment of VAT must pay Member States shall take the measures necessary to ensure that Where Member States designate the customer for investment gold
Article 209 Article 210	as Member States shall take the measures necessary to ensure that Member States shall adopt arrangements for payment of VAT on
Article 211 Article 212	Member States shall lay down the detailed rules for payment Member States may release taxable persons from payment of the
	CHAPTER 2
	Identification
Article 213 Article 214 Article 215	(1) Every taxable person shall state when his activity as(1) Member States shall take the measures necessary to ensureEach individual VAT identification number shall have a prefix
Article 216	In Member States shall take the measures necessary to ensure that
	CHAPTER 3
	Invoicing
	Section 1
	Definition
Article 217	For the purposes of this Directive, 'electronic invoice '
	Section 2
	Concept of invoice
Article 218	For the purposes of this Directive, Member States shall accept

Article 219 Any document or message that amends and refers specifically

Section 3

	Issue of invoices
Article 219a Article 220 Article 220a Article 221	Without prejudice to Articles 244 to 248, the following shall (1) Every taxable person shall ensure that, in respect of (1) Member States shall allow taxable persons to issue a (1) Member States may impose on taxable persons an obligation
Article 222 Article 223	For supplies of goods carried out in accordance with the Member States shall allow taxable persons to issue summary invoices
Article 224 Article 225	Invoices Invoices may be drawn up by the customer in respect Member States may impose specific conditions on taxable persons in
	Section 4
	Content of invoices
Article 226 Article 226a Article 226b	Without prejudice to the particular provisions laid down in this Where the invoice is issued by a taxable person, who As regards simplified invoices issued pursuant to Article 220a and
Article 227	Member States may require taxable persons established in their territory
Article 228 Article 229 Article 230 Article 231	Member States shall not require invoices to be signed. The amounts which appear on the invoice may be expressed
	Section 5
	Paper invoices and electronic invoices
Article 232 Article 233 Article 234 Article 235	The use of an electronic invoice shall be subject to (1) The authenticity of the origin, the integrity of the Member States may lay down specific conditions for electronic invoices
Article 236	Where batches containing several electronic invoices are sent or made
Article 237	By 31 December 2016 at the latest, the Commission shall
	Section 6
	Simplification measures

Article 238 (1) After consulting the VAT Committee, Member States may, in...

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Article 239 Article 240	In cases where Member States make use of the option Where the taxable person has been allocated a VAT identification
	CHAPTER 4
	Accounting
	Section 1
	Definition
Article 241	For the purposes of this Chapter, 'storage of an invoice
	Section 2
	General obligations
Article 242 Article 243	Every taxable person shall keep accounts in sufficient detail for (1) Every taxable person shall keep a register of the
	Section 3
	Specific obligations relating to the storage of all invoices
Article 244 Article 245	Every taxable person shall ensure that copies of the invoices (1) For the purposes of this Directive, the taxable person
Article 246 Article 247	(1) Each Member State shall determine the period throughout which
Article 248	Member States may, subject to conditions which they lay down,
	Section 4
Right of	access to invoices stored by electronic means in another Member State
Article 248a Article 249	For control purposes, and as regards invoices in respect of For control purposes, where a taxable person stores, by electronic
	CHAPTER 5
	Returns
Article 250 Article 251 Article 252 Article 253	 Every taxable person shall submit a VAT return setting In addition to the information referred to in Article 250, The VAT return shall be submitted by a deadline Sweden may apply a simplified procedure for small and medium-sized
Article 254 Article 255	In the case of supplies of new means of transport Where Member States designate the customer of investment gold as
Article 256	Member States shall take the measures necessary to ensure that

Article 257 Article 258 Article 259	Member States shall take the measures necessary to ensure that Member States shall lay down detailed rules for the submission Member States may require persons who make intra-Community acquisitions of
Article 260 Article 261	Member States shall lay down detailed rules for the submission (1) Member States may require the taxable person to submit
	CHAPTER 6
	Recapitulative statements
Article 262 Article 263 Article 264	Every taxable person identified for VAT purposes shall submit a (1) The recapitulative statement shall be drawn up for each (1) The recapitulative statement shall set out the following information:
Article 265 Article 266 Article 267 Article 268 Article 269	(1) In the case of intra-Community acquisitions of goods, as By way of derogation from Articles 264 and 265, Member Member States shall take the measures necessary to ensure that Member States may require that taxable persons who, in their Acting unanimously on a proposal from the Commission, the Council
Article 270 Article 271	By virtue of the authorisation referred to in Article 269, By virtue of the authorisation referred to in Article 269,
	CHAPTER 7
	Miscellaneous provisions
Article 272	(1) Member States may release the following taxable persons
Article 273	from Member States may impose other obligations which they deem necessary
	CHAPTER 8
	Obligations relating to certain importations and exportations
	Section 1
	Importation
Article 274 Article 275 Article 276 Article 277	Articles 275, 276 and 277 shall apply to the importation The formalities relating to the importation of the goods referred Where dispatch or transport of the goods referred to in Where, on their entry into the Community, the goods referred
	Section 2
	Exportation
Article 278 Article 279 Article 280	Articles 279 and 280 shall apply to the exportation of The formalities relating to the exportation of the goods referred In the case of goods which are temporarily exported from

TITLE XII SPECIAL SCHEMES

CHAPTER 1

Special scheme for small enterprises

Section 1

Simplified procedures for charging and collection

Article 281 Member States which might encounter difficulties in applying the normal...

Section 2

Exemptions or graduated relief

Article 282	The exemptions and graduated tax relief provided for in this
Article 283	(1) The arrangements provided for in this Section shall not
Article 284	(1) Member States which have exercised the option under Article
Article 285	Member States which have not exercised the option under Article
Article 286	Member States which, at 17 May 1977, exempted taxable persons
Article 287	Member States which acceded after 1 January 1978 may exempt
Article 288	The turnover serving as a reference for the purposes of
Article 289	Taxable persons exempt from VAT shall not be entitled to
Article 290	Taxable persons who are entitled to exemption from VAT may
Article 291	Subject to the application of Article 281, taxable persons enjoying
Article 292	The arrangements provided for in this Section shall apply until

Section 3

Reporting and review

Article 293	Every four years starting from the adoption of this Directive,
Article 294	The Council shall decide, in accordance with Article 93 of

CHAPTER 2

Common flat-rate scheme for farmers

Article 295	(1) For the purposes of this Chapter, the following definitions
Article 296	(1) Where the application to farmers of the normal VAT
Article 297	Member States shall, where necessary, fix the flat-rate
	compensation percentages
Article 298	The flat-rate compensation percentages shall be calculated on the
	basis

Article 299	The flat-rate compensation percentages may not have the effect
	of
Article 300	The flat-rate compensation percentages shall be applied to the
	prices,
Article 301	(1) In the case of the supply of agricultural products
Article 302	If a flat-rate farmer is entitled to flat-rate compensation, he
Article 303	(1) Where the taxable customer pays flat-rate compensation
	pursuant to
Article 304	Member States shall take all measures necessary to verify
	payments
Article 305	Whenever Member States apply this flat-rate scheme, they shall
	take
	CHAPTER 3

CHAPTER 3

Special scheme for travel agents

Article 306	(1) Member States shall apply a special VAT scheme, in
Article 307	Transactions made, in accordance with the conditions laid down
	in
Article 308	The taxable amount and the price exclusive of VAT, within
Article 309	If transactions entrusted by the travel agent to other taxable
Article 310	VAT charged to the travel agent by other taxable persons

CHAPTER 4

Special arrangements for second-hand goods, works of art, collectors' items and antiques

Section 1

Definitions

Article 311 (1) For the purposes of this Chapter, and without prejudice...

Section 2

Special arrangements for taxable dealers

Subsection 1

Margin scheme

Article 312	For the purposes of this Subsection, the following definitions
	shall
Article 313	(1) In respect of the supply of second-hand goods, works
Article 314	The margin scheme shall apply to the supply by a
Article 315	The taxable amount in respect of the supply of goods
Article 316	(1) Member States shall grant taxable dealers the right to
Article 317	If a taxable dealer exercises the option under Article 316,
Article 318	(1) In order to simplify the procedure for collecting the
Article 319	The taxable dealer may apply the normal VAT arrangements to
Article 320	(1) Where the taxable dealer applies the normal VAT
	arrangements

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Article 321 Article 322 Article 323 Article 324 Article 325	If carried out in accordance with the conditions specified in In so far as goods are used for the purpose Taxable persons may not deduct from the VAT for which Where the taxable dealer applies both the normal VAT arrangements The taxable dealer may not enter separately on the invoices
	Subsection 2
	Transitional arrangements for second-hand means of transport
Article 326	Member States which, at 31 December 1992, were applying special
Article 327	(1) These transitional arrangements shall apply to supplies of second-hand
Article 328 Article 329 Article 330 Article 331 Article 332	The VAT due in respect of each supply referred to The VAT regarded as being incorporated by the taxable dealer. The VAT due in respect of each supply of means Taxable persons may not deduct from the VAT for which The taxable dealer may not enter separately on the invoices
	Section 3
	Special arrangements for sales by public auction
Article 333 Article 334	(1) Member States may, in accordance with the provisions of These special arrangements shall apply to supplies carried out by
Article 335 Article 336 Article 337 Article 338 Article 339 Article 340 Article 341	The supply of goods to a taxable person who is The taxable amount in respect of each supply of goods The net amount paid or to be paid by the Organisers of sales by public auction who supply goods in The organiser of the sale by public auction must issue (1) The organiser of the sale by public auction to Member States which apply the arrangements provided for in this
	Section 4
	Measures to prevent distortion of competition and tax evasion
Article 342 Article 343	Member States may take measures concerning the right of deduction Acting unanimously on a proposal from the Commission, the Council

CHAPTER 5

SPECIAL SCHEME FOR INVESTMENT GOLD

Section 1

	General provisions
Article 344 Article 345	(1) For the purposes of this Directive, and without prejudice Starting in 1999, each Member State shall inform the Commission
	Section 2
	Exemption from VAT
Article 346	Member States shall exempt from VAT the supply, the intra-
Article 347	Community Member States shall exempt the services of agents who act
	Section 3
	Taxation option
Article 348	Member States shall allow taxable persons who produce
Article 349 Article 350 Article 351	investment gold (1) Member States may allow taxable persons who, in the Where the supplier has exercised the right under Articles 348 Member States shall lay down detailed rules for the exercise
	Section 4
	Transactions on a regulated gold bullion market
Article 352	Each Member State may, after consulting the VAT Committee,
Article 353	apply Member States which, pursuant to Article 352, tax transactions between
	Section 5
	Special rights and obligations for traders in investment gold
Article 354	Where his subsequent supply of investment gold is exempt
Article 355	pursuant Taxable persons who produce investment gold or transform gold
Article 356	into (1) Member States shall ensure that traders in investment gold

CHAPTER 6

Special scheme for non-established taxable persons supplying electronic services to non-taxable persons

Section 1

General provisions

Article 357 Article 358	This Chapter shall apply until 31 December 2014. For the purposes of this Chapter, and without prejudice to
	Section 2
	Special scheme for electronically supplied services
Article 359	Member States shall permit any non-established taxable person supplying electronic
Article 360	The non-established taxable person shall state to the Member State
Article 361	(1) The information which the non-established taxable person must provide
Article 362	The Member State of identification shall allocate to the non-established
Article 363	The Member State of identification shall strike the non- established taxable
Article 364	The non-established taxable person shall submit by electronic means to
Article 365	The VAT return shall show the identification number and, for
Article 366	(1) The VAT return shall be made out in euro
Article 367	The non-established taxable person shall pay the VAT when submitting
Article 368	The non-established taxable person making use of this special scheme
Article 369	(1) The non-established taxable person shall keep records of the

TITLE XIII **DEROGATIONS**

CHAPTER 1

Derogations applying until the adoption of definitive arrangements

Section 1

Derogations for States which were members of the Community on 1 January 1978

Article 370	Member States which, at 1 January 1978, taxed the transactions
Article 371	Member States which, at 1 January 1978, exempted the
	transactions

Article 372	Member States which, at 1 January 1978, applied provisions
Article 373	derogating Member States which, at 1 January 1978, applied provisions
Titlete 373	derogating
Article 374	By way of derogation from Articles 169 and 309, Member
	Section 2
Derogati	ions for States which acceded to the Community after 1 January 1978
Article 375	Greece may continue to exempt the transactions listed in points
Article 376	Spain may continue to exempt the supply of services performed
Article 377	Portugal may continue to exempt the transactions listed in points
Article 378	(1) Austria may continue to tax the transactions listed in
Article 379	(1) Finland may continue to tax the transactions listed in
Article 380	Sweden may, in accordance with the conditions applying in that
Article 381	The Czech Republic may, in accordance with the conditions
1 202	applying
Article 382	Estonia may, in accordance with the conditions applying in that
Article 383	Cyprus may, in accordance with the conditions applying in that
Article 384	For as long as the same exemptions are applied in
Article 385	Lithuania may, in accordance with the conditions applying in that
Article 386	Hungary may, in accordance with the conditions applying in that
Article 387	For as long as the same exemptions are applied in
Article 388	Poland may, in accordance with the conditions applying in that
Article 389	Slovenia may, in accordance with the conditions applying in that
Article 390	Slovakia may, in accordance with the conditions applying in
Article 370	that
Article 390a	Bulgaria may, in accordance with the conditions applying in
	that
Article 390b	Romania may, in accordance with the conditions applying in that
	Section 3
	Provisions common to Sections 1 and 2
Article 391	Member States which exempt the transactions referred to in Articles
Article 392	Member States may provide that, in respect of the supply
Article 393	(1) With a view to facilitating the transition to the

CHAPTER 2

Derogations subject to authorisation

Section 1

Simplification measures and measures to prevent tax evasion or avoidance

Article 394	Member States which, at 1 January 1977, applied special
	measures

Article 395 (1) The Council, acting unanimously on a proposal from the...

Section 2

International agreements

Article 396 (1) The Council, acting unanimously on a proposal from the...

TITLE XIV MISCELLANEOUS

CHAPTER 1

Implementing measures

Article 397 The Council, acting unanimously on a proposal from the Commission,...

CHAPTER 2

VAT Committee

Article 398 (1) An advisory committee on value added tax, called 'the...

CHAPTER 3

Conversion rates

Article 399	Without prejudice to any other particular provisions, the
	equivalents in
Article 400	When converting the amounts referred to in Article 399 into

CHAPTER 4

Other taxes, duties and charges

Article 401 Without prejudice to other provisions of Community law, this Directive...

TITLE XV FINAL PROVISIONS

CHAPTER 1

Transitional arrangements for the taxation of trade between Member States

Article 402	(1) The arrangements provided for in this Directive for the
Article 403	The Council shall, acting in accordance with Article 93 of
Article 404	Every four years starting from the adoption of this Directive,

CHAPTER 2

Transitional measures applicable in the context of accession to the European Union

Article 405	For the purposes of this Chapter, the following definitions shall
Article 406	The provisions in force at the time the goods were
Article 407	The provisions in force at the time the goods were
Article 408	(1) The following shall be treated as an importation of
Article 409	In the cases referred to in Article 408(1), the place
Article 410	(1) By way of derogation from Article 71, the importation
	CILA DEED A

CHAPTER 3

Transposition and entry into force

Article 411	(1) Directive 67/227/EEC and Directive 77/388/EEC are
	repealed, without prejudice
Article 412	(1) Member States shall bring into force the laws, regulations
Article 413	This Directive shall enter into force on 1 January 2007
Article 414	This Directive is addressed to the Member States.

ANNEX I

LIST OF THE ACTIVITIES REFERRED TO IN THE THIRD SUBPARAGRAPH OF ARTICLE 13(1)

Telecommunications services; supply of water, gas, electricity and thermal energy;...

ANNEX II

INDICATIVE LIST OF THE ELECTRONICALLY SUPPLIED SERVICES REFERRED TO IN ARTICLE 58 AND POINT (K) OF THE FIRST PARAGRAPH OF ARTICLE 59

> Website supply, web-hosting, distance maintenance of programmes and equipment; supply...

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ANNEX III

LIST OF SUPPLIES OF GOODS AND SERVICES TO WHICH THE REDUCED RATES REFERRED TO IN ARTICLE 98 MAY BE APPLIED

Foodstuffs (including beverages but excluding alcoholic beverages) for human and...

ANNEX IV

LIST OF THE SERVICES REFERRED TO IN ARTICLE 106

ANNEX V

CATEGORIES OF GOODS COVERED BY WAREHOUSING ARRANGEMENTS OTHER THAN CUSTOMS WAREHOUSING AS PROVIDED FOR UNDER ARTICLE 160(2)

ANNEX VI

LIST OF SUPPLIES OF GOODS AND SERVICES AS REFERRED TO IN POINT (D) OF ARTICLE 199(1)

Supply of ferrous and non ferrous waste, scrap, and used...

ANNEX VII

LIST OF THE AGRICULTURAL PRODUCTION ACTIVITIES REFERRED TO IN POINT (4) OF ARTICLE 295(1)

Crop production: general agriculture, including viticulture; growing of fruit (including...

ANNEX VIII

INDICATIVE LIST OF THE AGRICULTURAL SERVICES REFERRED TO IN POINT (5) OF ARTICLE 295(1)

Field work, reaping and mowing, threshing, baling, collecting, harvesting, sowing...

ANNEX IX

WORKS OF ART, COLLECTORS' ITEMS AND ANTIQUES, AS REFERRED TO IN POINTS (2), (3) AND (4) OF ARTICLE 311(1)

PART A

Works of art

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PART B

Collectors' items

PART C

Antiques

ANNEX X

LIST OF TRANSACTIONS COVERED BY THE DEROGATIONS REFERRED TO IN ARTICLES 370 AND 371 AND ARTICLES 375 TO 390b

PART A

Transactions which Member States may continue to tax

PART B

Transactions which Member States may continue to exempt

ANNEX XI

PART A

Repealed Directives with their successive amendments

- (1) Directive 67/227/EEC (OJ 71, 14.4.1967, p. 1301)
- (2) Directive 77/388/EEC (OJ L 145, 13.6.1977, p. 1)

PART B

Time limits for transposition into national law

ANNEX XII **CORRELATION TABLE**

- (1) [OJ L 145, 13.6.1977, p. 1. Directive as last amended by Directive 2006/98/EC (OJ L 363, 20.12.2006, p. 129).]
- (2) [OJ 71, 14.4.1967, p. 1301. Directive as last amended by Directive 77/388/EEC.]
- (3) OJ L 253, 7.10.2000, p. 42.
- (4) OJ L 76, 23.3.1992, p. 1. Directive as last amended by Directive 2004/106/EC (OJ L 359, 4.12.2004, p. 30).